

A work session and the regular meeting of the Farr West Planning Commission were held on Thursday, September 26, 2019 at 6:00 p.m. at the City Hall. Commission members present were Chairman Ted Black, Genneva Blanchard, Bryant Jensen, Craig Browne, Lyle Earl, Steve Hurd and Greg Baptist. Lou Best was excused. City Council members present were David Jay and Ken Phippen. Staff present was Whitney Black. Visitors present: see attached list.

6:00 p.m. – Work Session to discussion General Plan

The Planning Commission held a work session to discuss the General Plan.

Regular Meeting

#1 – Call to Order – Chairman Ted Black

Chairman Ted Black called the meeting to order.

#2- Opening Ceremony

a. Pledge of Allegiance

Genneva Blanchard led in the Pledge of Allegiance.

b. Prayer

Lyle Earl offered a prayer.

#3 – Business Items

a. Report from City Council

David Jay reported that the City Council approved a business license for Golden Spike Garage Door and Jordan Real Estate LLC. David also reported that the city council granted final approval of Edgewood Phase 5 with two council members voting yay and two voting nay, Mayor Dickemore voted yay breaking the tie vote. He then reported the council tabled action on a boundary adjustment with Marriott-Slaterville City, which would moved the old Wahlquist Seminary property and other property currently in Farr West into Marriott-Slaterville. The council approved an ordinance allowing RC Boats on the Smith Family Pond, heard a presentation from the Sheriff and his office, approved minutes and bills, had an update on the Smith Family Park, reported on assignments and then adjourned.

b. Recommend approval of Edgewood Subdivision Phase 6 located at 2254 North 2475 West – Daniel Humphreys

Daniel Humphreys was present seeking approval of Edgewood Phase 6. There were no public comments or discussion from the Planning Commission.

GENNEVA BLANCHARD MOTIONED TO RECOMMEND APPROVAL OF EDGEWOOD SUBDIVISION PHASE 6 LOCATED AT 2254 NORTH 2475 WEST. GREG BAPTIST SECONDED THE MOTION, ALL VOTING AYE.

- c. Enter into a public hearing to discuss and learn of the reaction to the city's consideration of adding an agritourism aspect to the municipal code. Essentially this code would allow for residents in the A-1 zone, meeting requirements for a conditional use, to participate in a variety of business operations not currently allowed in the zoning

GENNEVA BLANCAHRD MOTIONED TO ENTER INTO A PUBLIC HEARING TO DISCUSS AND LEARN OF THE REACTION TO THE CITY'S CONSIDERATION OF ADDING AN AGRITOURISM ASPECT TO THE MUNICIPAL CODE. ESSENTIALLY THIS CODE WOULD ALLOW FOR RESIDENTS IN THE A-1 ZONE, MEETING REQUIREMENTS FOR A CONDITIONAL USE, TO PARTICIPATE IN A VARIETY OF BUSINESS OPERATIONS NOT CURRENTLY ALLOWED IN THE ZONING. LYLE EARL SECONDED THE MOTION, ALL VOTING AYE.

Edd Ramer lives at 1931 N 2000 W. Mr. Ramer asked if this would be a new zone or an addendum to the current A-1 Zone. Chairman Black explained that generally with agritourism the zoning does not change and they are considered on a case to case basis. Mr. Ramer asked how it affects property value. Chairman Black explained they could increase, but they can't guarantee what will happen. He further explained that there are no examples where it significantly, negatively affected it.

Susan Williams lives 3159 N Higley Rd. Ms. Williams stated that she received a letter concerning agritourism on a specific property. Chairman Black explained that the letter was not sent from the city and that they will not be discussing a certain property at tonight's meeting. Ms. Williams expressed her concerns about liability. She asked what would happen if she bordered a property that practiced agritourism and a guest wandered onto her property and was injured. Chairman Black explained that it would be no different than if someone wandered onto her property today. Ms. Williams stated that this goes on in her neighborhood; she feels it would impact her privacy, safety, liabilities, traffic and noise. She continued that she feels that because the public is invited to participate and an income is being generated this resembles a commercial business more than agriculture. Chairman Black reminded Ms. Williams that at this time they are just conducting a beta test to see if this is something the city is interested in pursuing. He also stated that the impacted would depend on what their neighbor decided to do. Ms. Williams again restated her opinion that commercial businesses are any land, home, or business that generates an income and is open to the public. Chairman

Black stated that this is something that has been used all over the state and the nation, and they are looking to see if it is appropriate for Farr West. Ms. Williams stated that she is not for or against this idea, but she feels she has the right to property herself and her property from any underlying risk that this could burden her with. Chairman Black explained that if the city decides to pursue this and there is a piece of property near her that wants to do this, it would be treated as a conditional use permit and anyone within 300 feet of the proposed property would be invited to a public hearing about that specific property where they could express concerns or/and support, but they are nowhere near that point. Ms. Williams again asked how this differs from commercial property. Chairman Black stated that it does not. Craig Browne commented that there are several residents throughout the city that run a business from their homes with a residential business license.

Dale Chugg lives 1556 Farr West Drive. Mr. Chugg stated that after 17 years on the city council he has seen similar ideas come into the city, and those property owners that pursue them do not stick to them. Mr. Chugg also expressed that he feels the city has had trouble in the past enforcing things like this.

Lyle Dabb lives at 1410 W Harrisville Road. Mr. Dabb commented that in his experience everyone that has a business similar to agritourism start out small and get a business license for farming and then it develops into something else.

Mr. Ramer asked how this would affect fruit stands and similar things like that. Chairman Ted explained that fruit stands are protected by state statute.

Leann Hunting from the Utah Department of Agriculture and Food read a letter from Commissioner Gibson explaining the department's support of agriculture and food industries within Utah. The letter is attached to the minutes for the record.

Susan Williams again expressed her concerns about liability.

Becky Brooks lives at 2638 W 2225 N. Expressed her support for this idea. She also suggested including a minimum acreage requirement.

- d. Motion – Close public hearing and proceed with the regular meeting

BRYANT JENSEN MOTIONED TO CLOSE THE PUBLIC HEARING AND PROCEED WITH THE REGULAR MEETING. GENNEVA BLANCHARD SECONDED THE MOTION, ALL VOTING AYE.

Bryant Jensen stated that this is an alternate route for people with large parcels of land to take in place of subdividing.

Craig Browne expressed his observation that when subdivisions come in for approval, the public that voice their opinions want to see more open/green space and the rural community preserved. In this case the majority of the people that expressed their concerns this evening seem to be doing the opposite of that.

#4 – Consent Items

- a. Approval of minutes dated September 12, 2019

CRAIG BROWNE MOTIONED TO APPROVE THE MINUTES DATED SEPTEMBER 12, 2019. BRYANT JENSEN SECONDED THE MOTION, ALL VOTING AYE.

#5 – Chairman/Commission Follow-up

- a. Report on Assignments

Lyle Earl reported that more sod has been laid at the Smith Family Park and landscaping is being done at the park. Lyle also reported the lighting is going forward and the park is closed on the south end until the end of October for construction.

#6 – Public Comments

**Resident(s) attending this meeting were allotted 2 minutes to express a concern or ask a question about any issue that IS NOT ON THE AGENDA. No action can or will be taken on any issue presented.)*

Bonnie Beal lives at 1407 N 2000 W. Reiterated her comment from the last city council meeting about public comments. Bonnie expressed her feelings that public comments should be addressed. Chairman Ted explained that according to state law the body in question cannot take action or vote or make a decision on items discussed during public comments.

#7 – Adjournment

AT 7:33 P.M., CRAIG BROWNE MOTIONED TO ADJOURN THE MEETING. BRYANT JENSEN SECONDED THE MOTION, ALL VOTING AYE.

Whittney Black, Deputy Clerk

Ted Black, Chairman

Date Approved: _____